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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 JOSE MANUEL CHAVEZ ZEPEDA, and
DENIS ZACARIAS PONCE CASTILLO
15 Defendants.
16

CASE NO. 2:22-CR-0064-JAM
STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
ORDER
DATE: September 20, 2022
TIME: 9:30 a.m.
COURT: Hon. John A. Mendez

17 STIPULATION

18 1. By previous order, this matter was set for status on September 20, 2022.

19 2. By this stipulation, defendants now move to continue the status conference until

20 December 13, 2022, at 9:00 a.m., and to exclude time between September 20, 2022, and December 13,
21 2022, under Local Code T4.

22 3. The parties agree and stipulate, and request that the Court find the following:

23 a) The government has represented that the discovery associated with this case
24 includes more than 5,300 pages of investigative reports, photographs, phone toll records, and
25 other materials, as well as video and audio recordings. All of this discovery has been either
26 produced directly to counsel and/or made available for inspection and copying.

- 1 b) Counsel for defendants desire additional time to review the discovery, to review
2 the charges and potential responses to the charges with their clients, to conduct factual
3 investigation and legal research, and to otherwise prepare for trial.
- 4 c) Counsel for defendants believe that failure to grant the above-requested
5 continuance would deny them the reasonable time necessary for effective preparation, taking into
6 account the exercise of due diligence.
- 7 d) The government does not object to the continuance.
- 8 e) Based on the above-stated findings, the ends of justice served by continuing the
9 case as requested outweigh the interest of the public and the defendant in a trial within the
10 original date prescribed by the Speedy Trial Act.
- 11 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
12 et seq., within which trial must commence, the time period of September 20, 2022 to December
13 13, 2022, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local
14 Code T4] because it results from a continuance granted by the Court at defendant's request on
15 the basis of the Court's finding that the ends of justice served by taking such action outweigh the
16 best interest of the public and the defendant in a speedy trial.

17 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
18 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
19 must commence.

20 IT IS SO STIPULATED.

21
22 Dated: September 16, 2022

PHILLIP A. TALBERT
United States Attorney

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24 _____
25 /s/ DAVID W. SPENCER
26 DAVID W. SPENCER
27 Assistant United States Attorney

1 Dated: September 16, 2022

/s/ Clemente Jimenez

2 Clemente Jimenez
Counsel for Defendant
JOSE MANUEL CHAVEZ ZEPEDA

3 Dated: September 16, 2022

/s/ Etan Zaitsu

4 Etan Zaitsu
5 Counsel for Defendant
DENIS ZACARIAS PONCE
6 CASTILLO

7

8 **ORDER**

9 IT IS SO FOUND AND ORDERED this 16th day of September, 2022.

10

11 /s/ John A. Mendez

12 THE HONORABLE JOHN A. MENDEZ
13 SENIOR UNITED STATES DISTRICT JUDGE